

Exhibit A

Docket #: 21C1203
File Date: 07/19/2021

Pleadings Report
CARPENTER, PIXIE
vs
BATTELLE MEMORIAL INSTITUTE

Line #	File Date	Description
1	07/19/2021	DAMAGE/TORT COMPLAINT 262762*1
2	07/19/2021	COST BOND PHILLIPS GEORGES SURETY FOR P1
3	07/19/2021	SUMMONS OUT OF CO-D1 W/C (KNOX CO.)
4	07/20/2021	SHERIFF OF KNOX COUNTY 4200
5	08/04/2021	RETURN OF SERVICE D1-SERVED RT-07/27/2021

STATE OF TENNESSEE
IN THE CIRCUIT COURT FOR DAVIDSON COUNTY
AT NASHVILLE

PIXIE CARPENTER,
Plaintiff,

v.

JURY DEMAND
CASE NO.:

BATTELLE MEMORIAL
INSTITUTE
Defendant,

COMPLAINT

Pixie Carpenter, Plaintiff, for her claim against Battelle Memorial Institute, Defendant, states as follows:

PARTIES

1. Plaintiff, Pixie Carpenter, is an adult citizen and resident of Antioch, Tennessee, County of Davidson and resides at 5878 Monroe Xing, Antioch, TN 37013.
2. Defendant, Battelle Memorial Institute, is a foreign non-profit corporation, with a principal place of business at 505 King Ave., Columbus, OH 43201. At all times relevant herein, Battelle Memorial Institute was qualified to do, and doing business in the State of Tennessee, decontaminating and distributing reprocessed N95 mask. Battelle Memorial Institute may be served with process of this Court by service on its registered agent, C T Corporation System, 300 Montve Rd., Knoxville, TN 37919.

3. The true name or capacities, whether individual, corporate, associated or otherwise, of defendant Battelle Memorial Institute, inclusive, are unknown to the plaintiff who therefore sue said defendant by such name. Plaintiff is informed, and believe, and thereon allege that the defendant designated herein as Battelle Memorial Institute is negligently responsible and strictly liable in some manner for the events and happenings herein referred to and caused injury and damages proximately thereby to the plaintiff as herein alleged.

JURISDICTION

4. This complaint was filed within the applicable statute of limitations.
5. Jurisdiction and venue are proper in this Honorable Court because Davidson County is the county in which the subject accident giving rise to this Complaint took place.


CLAIMS FOR NEGLIGENCE

6. This is a claim for serious and life-altering personal injuries sustained by the Plaintiff, Pixie Carpenter, while on the subject premises commonly known as 1211 Medical Center Dr., Nashville, TN 37232.
7. On August 7, 2020, the Plaintiff Pixie Carpenter, while in Davidson County, Tennessee, at her place of employment with Vanderbilt University Medical Center at 1211 Medical Center Dr., Nashville, TN 37232, suffered a severe chemical burn, and other injuries, when utilizing a reprocessed N95 mask. A decontaminating chemical manufactured and distributed by Battelle Memorial Institute. Said product was delivered to Vanderbilt University Medical Center in the State of Tennessee. Said injuries include, but are not limited to the following:

1. Caustic burn;
 2. Lesions;
 3. Chronic headaches;
 4. Hyperpigmentation;
 5. Erythema;
 6. Spider veins;
 7. Chemical gas inhalation, and,
 8. Respiratory distress.
8. When the product was decontaminated and used by plaintiff, Pixie Carpenter, it was in hazardous condition unreasonably dangerous to the consumer. Despite the product's hazardous condition, defendant negligently represented to plaintiff, Pixie Carpenter a CT tech employed with Vanderbilt University Medical Center, that she could use the reprocessed N95 mask, and that the product contained no harmful chemicals.
9. As a proximate cause of the defendant's negligence and wantonness, breach of implied warranty of fitness, breach of express warranty, breach of contract, failure to warn, and under the doctrine of strict liability, the defendant is liable to the plaintiff, Pixie Carpenter, for the following damages:
1. Serious and severe personal injuries;
 2. Physical pain and mental suffering;
 3. Medical expenses, both past and future;
 4. Temporary and permanent injury and disfigurement;
 5. Loss of enjoyment of life; and
 6. Future pain and suffering.

WHEREFORE, Plaintiff, Pixie Carpenter demands judgment against the Defendant in the amount up to \$1,000,000.00 and costs; Plaintiff demands trial by jury of twelve (12); and Plaintiff demands such other and further relief to which he may prove entitled.

Respectfully submitted on 19 of July, 2021.



Phillip S. Georges, Esq
BPR # 038360
Attorney for Pixie Carpenter

Of Counsel:

PHILLIP S. GEORGES, PLLC
2303 21st Ave. S, Suite 204
Nashville, TN 37212
Phone: 615-577-1011
Facsimile: 629-205-6709
Email: phil@wolfpacklawyers.com

IN THE CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE TWENTIETH JUDICIAL DISTRICT, STATE OF TENNESSEE

PIXIE CARPENTER

Plaintiff(s)

vs.

BATTELLE MEMORIAL INSTITUTE

Defendant(s)

Docket No. _____

COST BOND

I/We, Pixie Carpenteras Principal(s), and Phillip S. Georges

as Surety, are held and firmly bound unto the Circuit Court Clerk of Davidson County, Tennessee, for the payment of all costs

The Principal(s) is/are commencing legal proceedings in the Circuit Court for the Twentieth Judicial District, at Nashville, Tennessee. If the Principal(s) shall pay all costs which are adjudged against them, then this obligation is void. If the Principal(s) fail(s) to pay, then the Surety shall undertake to pay all costs adjudged against the Principal(s). Mandated at T.C.A. §20-12-120, et seq.

PRINCIPAL(S):

Pixie Carpenter

PRINCIPAL

PRINCIPAL

5878 Monroe XingAntioch, TN 37013

Address

Address

Employer

Employer

Employer's Address

Employer's Address

Principal Pixie Carpenter (signature), or byPrincipal [Signature] Attorney (signature)

Principal _____ (signature), or by

Principal _____ Attorney (signature)

SURETY

Phillip S. Georges (Print or Type Surety)BPR # 038360

SIGNATURE OF SURETY

ADDRESS

[Rev. 7-1-07]

CIRCUIT COURT SUMMONS

NASHVILLE, TENNESSEE

Service ID 243045

STATE OF TENNESSEE
DAVIDSON COUNTY
20TH JUDICIAL DISTRICT

PIXIE CARPENTER

Plaintiff

vs.

BATTELLE MEMORIAL INSTITUTE
C/O CT CORPORATION SYSTEM
300 MONTVUE ROAD
KNOXVILLE, TN 37919

Defendant

CIVIL ACTION
DOCKET NO. 21C1203
Method of Service:
Knox County Sheriff

To the above named Defendant:

You are summoned to appear and defend a civil action filed against you in the Circuit Court, 1 Public Square, Room 302, P.O. Box 196303, Nashville, TN 37219-6303, and your defense must be made within thirty (30) days from the date this Summons is served upon you. You are further directed to file your defense with the Clerk of the Court and send a copy to the Plaintiff's attorney at the address listed below.

In case of your failure to defend this action by the above date, judgment by default will be rendered against you for the relief demanded in the Complaint.

ISSUED: 07/19/2021

RICHARD R. ROOKER

Circuit Court Clerk
Davidson County, Tennessee

By:



Deputy Clerk

ADDRESS OF PLAINTIFF'S ATTORNEY OR PLAINTIFF:

PHILLIP S. GEORGES
2303 21ST AVE SOUTH
SUITE 204
NASHVILLE, TN 37212

NOTICE TO THE DEFENDANT:

Tennessee law provides a Ten Thousand and 00/100 Dollars (\$10,000.00) debtor's equity interest personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.



To request an ADA accommodation, please contact Dart Gore at (615) 880-3309

CIRCUIT COURT SUMMONS

NASHVILLE, TENNESSEE

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PIXIE CARPENTER

Plaintiff

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C/O CT CORPORATION SYSTEM
300 MONTVUE ROAD
KNOXVILLE, TN 37919

Defendant

CIVIL ACTION
DOCKET NO. 21C1203
Method of Service:
Out of County SheriffRETURN ON PERSONAL SERVICE OF SUMMONS

I hereby certify and return that on the _____ day of _____, 20____, I:

_____ served this Summons and Complaint/Petition on _____ in the following manner:

_____ failed to serve this Summons within 90 days after its issuance because _____

Sheriff/Process Server

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CIRCUIT COURT SUMMONS

NASHVILLE, TENNESSEE

Service ID 243045

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DAVIDSON COUNTY
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Defendant

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Knox County Sheriff

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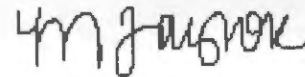
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Method of Service:
Out of County Sheriff

vs.

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C/O CT CORPORATION SYSTEM
300 MONTVUE ROAD
KNOXVILLE, TN 37919

Defendant

RETURN ON PERSONAL SERVICE OF SUMMONSI hereby certify and return that on the _____ day of _____, JUL 27 2021, I:

_____ served this Summons and Complaint/Petition on _____ in the following manner:

_____ Battelle Memorial Institute **REFUSED**

_____ failed to serve this Summons within 90 days after its issuance because _____

17. Baird 25251CCSD_____
Sheriff/Process Server

To request an ADA accommodation, please contact Dart Gore at (615) 880-3309

Service ID 243045